

Anderson, who reviewed a draft only during the week the final letter went out, he recommended that the St. Croix Chippewa's opposition be included to lessen the emphasis on the opposition of the local non-Indian community. But again, others were concerned that reference to tribal opposition would create an unwanted precedent for tribal vetoes of other tribes' applications.

At the same time, there were continued questions about the wisdom of relying upon Section 20 of IGRA as a basis for the denial. In a July 11 e-mail to Skibine and Sibbison, Meisner questioned why Section 20 had been added as a basis for the denial. Meisner had seen Skibine's July 8 redraft of the letter, and he noted that he "thought after the Friday meeting that everyone (except Duffy who we had not yet consulted) agreed that there was not enough evidence supporting a finding of 'detriment' to the surrounding communities under section 20 and therefore we would decline to acquire the land under 151. . . ." (Ellipsis in original.) In an e-mail to Woodward later that day, Meisner reported that Robert Anderson – Meisner's and Woodward's superior in the Solicitor's Office – "thought that since Duffy wanted the Section 20 finding so badly that we would let the letter go through." Meisner added: "I still think that there was not enough evidence for a section 20 finding of detriment."³⁸⁹

³⁸⁸(...continued)
closest casino to Hudson. "A loss of market shares and revenues" to the St. Croix posed by the new casino is presumed but not detailed.

³⁸⁹Our investigation uncovered no evidence that any DOI employee involved in consideration of the Hudson application was pressured to keep silent about their support for the application or was rewarded in any way for statements made after the denial in the course of the various investigations.